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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,932	09/15/2003	Boris Usherovich		8394
	7590	07/07/2006		
Boris Usherovich 260 Rathbun Avenue Staten Island, NY 10312			EXAMINER STINSON, FRANKIE L	
			ART UNIT	PAPER NUMBER
			1746	

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/661,932	USHEROVICH	
	Examiner	Art Unit	
	FRANKIE L. STINSON	1746	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6,9,11-17,22-34,37 and 39-48 is/are rejected.
- 7) ☒ Claim(s) 7,8,10,19-21,35,38 and 44-48 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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1. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 23, line 2, the phrase "the waste line" is without proper antecedent basis.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Rhodes (U. S. Pat. No. 3,026,699).

Re claims 1 and 14, Rhode disclose the top-loading sink laundry combo comprising the common drain (col. 1, line 13), cabinet (3), motor (31), programmer (11), pivoting sink (8, via pin 6) and shock absorbing means (51).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 9, 15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhodes in view of either Kim et al. (U. S. pat. No. 5,983,520) or Japan'959 (Japan 2003-125959).

Claim 2 defines over Rhodes only in the recitation of the washer being a washer/dryer combo. Japan'959 and Kim each disclose the washer/dryer combo as claimed. It

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therefore would have been obvious to one having ordinary skill in the art to modify the device of washer in Rhodes, to be as taught by either Japan'959 or Kim, for the purpose of providing the use of the same space for both washing and drying, as is common in the art. Re claims 9 and 22, Kim also discloses the condensation duct.

6. Claims 3 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhodes in view of Germany'226 (Germany 39 31 226).

Claims 3 and 16 define over the applied prior art only in the recitation of the machine being removably attached. Germany'226 is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the machine removable as taught by Germany'226, for the purpose of allowing for easy maintenance/repair.

7. Claim 4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhodes in view of Fey et al. (U. S. Pat. No. 4,535,610).

Claims 4 and 17 define over Rhode only in the recitation of the machine being pivoted attached. Fey is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the machine pivoted as taught by fey, for the purpose of allowing for easy maintenance/repair and access.

8. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 2 above, and further in view of Germany'226.

Claims 5 and 18 define over the applied prior art only in the recitation of the

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machine being removably attached. Germany'226 is cited disclosing this arrangement.

It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the machine removable as taught by Germany'226, for the purpose of allowing for easy maintenance/repair.

9. Claims 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 17 above, and further in view of Fey et al.

Claims 4 and 17 define over the applied prior art only in the recitation of the machine being pivoted attached. Fey is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the machine pivoted as taught by Fey, for the purpose of allowing for easy maintenance/repair and access.

10. Claims 11 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 2 above, and further in view of Japan'313 (Japan-140313).

Claims 11 and 24 define over the applied prior art only in the recitation of the sewer check-valve. Japan'313 is cited this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have include a sewer check valve as taught by Japan'313, for the purpose of preventing sewer odor from entering the laundry.

11. Claims 12 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 2 above, and further in view of Babcerowicz et al. (U. S. Pat. No. 4,081,915).

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Claims 12 and 25 define over the applied prior art only in the recitation of the retractable vent hose. Babcerowicz is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the hose retractable as taught by Babcerowicz, for the purpose of providing a more compact arrangement.

12. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 2 above, and further in view of Genessi (U. S. Pat. No. 4,115,485).

Claim 13 defines over the applied prior art only in the recitation of the self-cleaning lint filter being equipped with the dryer. Genessi is cited disclosing the lint filter as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of Rhodes, as proposedly modified, to include a lint filter as taught by Genessi, for the purpose of removing the lint from the discharged air.

13. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 15 above, and further in view of Stone (U. S. Pat. No. 2,959,044).

Claim 26 defines over the applied prior art only in the recitation of the combo water filled lint trap and p-trap. Stone is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have a trap as taught by Stone, for the purpose of allowing for removing the accumulated lint.

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14. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhodes in view of either Butter (U. S. Pat. No. 3,071,424) or Wheeler (U. S. Pat. No. 2,444,125).

Claims 27 and 28 define over Rhodes only in the recitation of the two-part sink. Butter and Wheeler disclose the cited disclosing the sink as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the sink in two parts as taught by either Butter or Wheeler, for the purpose of allowing for easy maintenance/repair and access.

15. Claim 29 rejected under 35 U.S.C. 103(a) as being unpatentable over Rhodes in view de Hedouville (U. S. Pat. No. 3,927,542).

Re claim 29, Rhode disclose the top-loading sink laundry combo comprising the common drain (col. 1, line 13), cabinet (3), motor (31), programmer (11), pivoting sink (8, via pin 6) and shock absorbing means (51) that differs from the claim only in the recitation of the horizontal drum. de Hedouville is cited disclosing the drum as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the drum of Rhodes, to be as taught by de Hedouville, since this is consider to be a mere substitution of equivalents.(see MPEP 2144.06 SUBSTITUTING EQUIVALENTS KNOWN FOR THE SAME PURPOSE)

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 30 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhodes in view of either Kim et al. (U. S. pat. No. 5,983,520) or Japan'959 (Japan 2003-125959).

Claim 2 defines over Rhodes only in the recitation of the washer being a washer/dryer combo. Japan'959 and Kim each disclose the washer/dryer combo as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the device of washer in Rhodes to be as taught by either Japan'959 or Kim, for the purpose of providing the use of the same space for both washing and drying, as is common in the art. Re claim 37, Kim also discloses the condensation duct.

18. Claims 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rhodes in view of Germany'226 (Germany 39 31 226).

Claim 31 defines over the applied prior art only in the recitation of the machine being removably attached. Germany is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the machine removable as taught by Germany'226, for the purpose of allowing for easy maintenance/repair.

19. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rhodes in view of Fey et al.

Claim 32 defines over the applied prior art only in the recitation of the machine being pivoted attached. Fey is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of

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Rhodes, to have the machine pivoted as taught by fey, for the purpose of allowing for easy maintenance/repair and access.

20. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 30 above, and further in view of Germany'226.

Claim 33 defines over the applied prior art only in the recitation of the machine being removably attached. Germany''226 is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the machine removable as taught by Germany'226, for the purpose of allowing for easy maintenance/repair.

21. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 17 above, and further in view of Fey et al.

Claim 34 defines over the applied prior art only in the recitation of the machine being pivoted attached. Fey is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the machine pivoted as taught by fey, for the purpose of allowing for easy maintenance/repair and access.

22. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 2 above, and further in view of Japan'313 (Japan-140313).

Claim 39 defines over the applied prior art only in the recitation of the sewer check-valve. Japan'313 is cited this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have include a sewer

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check valve as taught by Japan'313, for the purpose of allowing for preventing sewer odor from entering the laundry.

23. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 2 above, and further in view of Babcerowicz et al. Claim 40 defines define over the applied prior art only in the recitation of the retractable vent hose. Babcerowicz is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the hose retractable as taught by Babcerowicz, for the purpose of providing a more compact arrangement.

24. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 2 above, and further in view of Genessi Claim 13 defines over the applied prior art only in the recitation of the self-cleaning lint filter being equipped with the dryer. Genessi is cited disclosing the lint filter as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the arrangement of Rhodes as proposedly modified to include a lint filter as taught by Genessi, for the purpose of removing the lint from the discharged air.

25. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim 15 above, and further in view of Stone. Claim 42 defines over the applied prior art only in the recitation of the combo water filled lint trap and p-trap. Stone is cited disclosing this arrangement. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to

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have a trap as taught by Stone, for the purpose of allowing for removing the accumulated lint.

26. Claims 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhodes in view of either Butter or Wheeler.

Claims 43 and 44 define over Rhodes only in the recitation of the two-part sink. Butter and Wheeler disclose the sink as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the device of Rhodes, to have the sink in two parts as taught by either Butter or Wheeler, for the purpose of allowing for easy maintenance/repair and access.

27. Claims 7, 8, 10, 19-21, 35, 36 and 45-48 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Russia'5c1, Germany'117, Benkert et al., Sasaki, Japan'235, Timmer et al., Japan'089, Germany'410, Shelton et al., Ohashi, Russia'49c, Germany'972 and Japan'9876, note the sink/washer combos.


29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (571) 272-1308. The examiner can normally be reached on M-F from 5:30 am to 2:00 pm and some Saturdays from approximately 5:30 am to 11:30 am.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr, can be reached on (571) 272-1700. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

fls


FRANKIE L. STINSON
Primary Examiner
GROUP ART UNIT 1746